IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

WEDNESDAY, THE 28TH MARCH 2007 / 7TH CHAITHRA 1929

WP(C).No. 6526 of 2004(B)

PETITIONER:

JOSE KUMAR, KOLLAMPARAMBIL,
CHOORAKODE P.O., ADOOR-691 551,
PATHANAMTHITTA, AEE-M.S.D. IRRIGATION DEPT.,
KANNOOR.

BY ADV. SRI.A.B.JALEEL,
SRI.V.K.SUBRAMANIAN.

RESPONDENTS:
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1. **THE ADDITIONAL SECRETARY, IRRIGATION (SPECIAL CELL) DEPARTMENT, THIRUVANANTHAPURAM.**
2. **THE PRINCIPAL SECRETARY TO GOVT., WATER RESOURCES, DEPARTMENT AND CONVENOR, DEPARTMENT PROMOTION COMMITTEE (HIGHER).**
3. **T.P. PREMCHAND, EXECUTIVE ENGINEER, MECHANICAL DIVISION, ALAPPUZHA.**
4. **K.P. JOSEPH, EXECUTIVE ENGINEER, MECHANICAL DIVISION, THIRUVANANTHAPURAM.**
5. **STATE OF KERALA, REPRESENTED BY THE CHIEF SECRETARY, SECRETARIAT, THIRUVANANTHAPURAM.**

BY ADV. SRI.DEEPU THANKAN,
SMT.DEEPA DEEPU THANKAN.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 28/03/2007,THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P.(C). NO.6526/2004:

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P.1: COPY OF THE ORDER DTD. 03/03/99 NO. G.O. (RT)297/99/IRRN.

EXT.P.2: COPY OF THE JUDGEMENT DTD. 23/07/2002.

EXT.P.3: COPY OF THE ORDER DT. 30/12/2002 NO. G.O. RT. 11714/2002/IRD.

EXT.P.4: COPY OF THE SENIORITY LIST DTD. 01/09/97.

EXT.P.5: COPY OF THE DEPARTMENT ORDER DTD. 13/02/2003.

EXT.P.6: COPY OF THE REPRESENTATION BY THE PETITIONER DTD. 24/12/2003.

EXT.P.7: COPY OF THE GAZETTE NOTIFICATION DT. 10/12/2003.

EXT.P.8: COPY OF THE CHARGE MEMO DTD. 08/01/2004.

//TRUE COPY//

prv.

KURIAN JOSEPH, J.

W.P(C)No.6526 of 2004

Dated this the 28th day of March, 2007

JUDGMENT

Petitioner is aggrieved since he is not considered for promotion on account of the pendency of the prolonged disciplinary action commenced pursuant to Ext.P8. It is seen from Ext.P8 that the same is dated 8-1-2004. There will be a direction to the competent authority to finalise the disciplinary proceedings commenced pursuant to Ext.P8, if not already commenced, within a period of three months from the date of production of a copy of the judgment. Depending on the outcome of the action pursuant to Ext.P8 as above, the needful in the matter of promotion will also be done expeditiously.

The writ petition is disposed of as above.

(KURIAN JOSEPH, JUDGE)

ahg.